UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

UNITED STATES OF AMERICA)	DOCKET NO. 3:21-CR-253
v.)	MOTION TO CONTINUE
)	DOCKET CALL
)	
MICHAEL MANDEL BALDWIN)	
)	

NOW COMES, the United States of America, by and through Dena J. King, United States Attorney and respectfully submits the following:

- 1. This matter is currently on the Court's calendar for a status conference on June 27, 2022, and for a trial on July 5, 2022.
- 2. On October 19, 2021, a Bill of Indictment was returned against Defendant Michael Mandel Baldwin. On November 22, 2022, Defendant Baldwin made his initial appearance and was arraigned on the charges against him. He entered a plea of not guilty and requested a jury trial. He was released on bond conditions pending trial. Trial was set for January 4, 2002. On December 9, 2021, Defendant Baldwin moved for a continuance because Defendant had just started to receive discovery. The motion was not opposed by the United States and the Court granted the motion. Dkts. 11 and 12. The docket call was continued until March 7, 2022. Dkt. 12.
- 3. On February 10, 2022, Defendant Baldwin moved for a continuance of the March trial date because the discovery was voluminous, consisting of more than 22,000 pages, and defense counsel needed additional time to prepare as the case is likely to proceed to trial. Dkt. 14. The United States again consented to this motion and the Court granted the motion, continuing the trial until May 2, 2022. Dkt. 15.
- 4. On April 14, 2022, Defendant Baldwin moved for a continuance of the May trial date, with the consent of the United States. Dkt. 16. As noted in this motion, Defendant Baldwin produced 5,000 pages of documents to the United States that were responsive to a grand jury subpoena issued during the investigation, but which had not been turned over. *Id.* The Court granted the motion and trial was continued to July 5, 2022. Dkt. 17.
- 5. The United States processed the evidence and obtained access to it on or about April 25, 2022. The United States has reviewed, and continues to review, the records which it should have received prior to the return of the indictment. Additional time is needed by the United States to evaluate the records, which are both germane to the charges in the indictment and potential witnesses. But, the records also contain relevant, additional information that the United States should have received during the investigative stage of the case and which the United States requires additional time to fully investigate, especially where this case appears to be headed to trial.
 - 6. In light of this new production, the United States requests that the trial be continued, and

that in the interest of justice that this motion be granted and the time excluded pursuant to 18 U.S.C. § 3161(h)(7)(A).

6. The United States and Defendant Baldwin have conferred on this motion and Defendant Baldwin opposes this motion.

Respectfully submitted, this 26th day of May, 2022.

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